IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 222 OF 2006.

Shivaji Narhari Kawade. ... Petitioner.

V/s.

Shri Ramchandra Narhari Kawade
and others. ... Respondents.

Mandar Limaye for the petitioner.

Tejas Deshpande for respondent Nos.1, 7 and 10.

Ms.Geeta Mulekar, AGP for respondnet No.11.

CORAM: A.M.KHANWILKAR, J.

DATED: 23rd January 2007.

P.C.:

. Heard counsel for the parties.

2. The order passed by the Division Bench of this Court on 6th December 2005 allowed the execution of the decree to proceed. The only interim direction given by the Division Bench of this court was that, physical possession of the suit property shall not be handed over. In other words, possession of the respective parties with regard to the suit property was protected. It is not the case of the petitioner that his physical possession of the suit property has been disturbed in any manner. The fact that the other party has entered into some transaction purporting to dispose of the suit

property, which has gone to their share, in my opinion, will not constitute breach of the interim order passed by the Division Bench of this Court. Thus understood, this petition cannot be proceeded further against the respondents. The same is dismissed.

3. Notice issued to the respondents stands discharged.

(A.M.KHANWILKAR, J.)